

STATE OF CALIFORNIA
STATE AND CONSUMER SERVICES AGENCY
CALIFORNIA BUILDING STANDARDS COMMISSION
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Office Use Item No. _____

PARTICIPATION COMMENTS FOR THE NOTICE DATED AUGUST 22, 2006
Written comments are to be sent to the above address.

WRITTEN COMMENT DEADLINE: OCTOBER 16, 2006

Date: October 11, 2006

From:

Eugene Lozano, Jr.
Name (Print or type)

Eugene Lozano Jr.

(Signature)

-- California Council of the Blind

Agency, jurisdiction, chapter, company, association, individual, etc.

<u>4537 Sycamore Ave.,</u>	<u>Sacramento</u>	<u>CA</u>	<u>95841</u>
Street	City	State	Zip

I/**We (do)**(do not) agree with:

[**x**] The Agency proposed modifications As Submitted on Section No. Part 2, Chapter 11B, Section 1127B.5.1-.9 "Curb Ramps"

and request that this section or reference provision be recommended:

[] Approved [] Disapproved [] Held for Further Study [**x**] Approved as Amended

by the reviewing Code Advisory Committee.

Suggested Revisions to the Text of the Regulations:

We support all the changes made in these sections because they bring the California Curb Ramp provisions in conformity with ADAAG Curb Ramp requirements. However, we support the California Building Standard Commission's Accessibility Code Advisory Committee's recommendation that section 1127B.5.7 be amended to require that the truncated domes be laid out in an inline gridline pattern. Alignment of truncated domes on detectable warning surfaces in horizontal/vertical patterns are safer and more negotiable for wheelchair users than diagonal patterns without the loss of detectability for the blind. (Detectable Warnings: Detectability by Individuals with Visual Impairments, and Safety and Negotiability on Slopes for Persons with Physical Impairments, Billie Louise Bentzen, Ph.D., Tina L. Nolin, Ph.D., Randolph D. Easton, Ph. D., Linda Desmarais, M.P.H., R.P.T., and Phillip A. Mitchell, Ph. D., September 1994) We feel in light of the greater safety/negotiability and proposed requirements for inline patterns in

the Draft Public Right-of-Way Accessibility Guidelines that this section 1127B.5.7 be amended to require the inline grid pattern.

Reason: [The reason should be concise if the request is for “Disapproval,” “Further Study,” or “Approve As Amend” and identify at least one of the 9-point criteria (following) of Health and Safety Code §18930.] **It would bring CCR, Title 24, Part 2, Chapter 11B in compliance with the ADAAG Provisions for Transit Facilities. Criteria #3.**

HEALTH & SAFETY CODE SECTION 18930

SECTION 18930. APPROVAL OR ADOPTION OF BUILDING STANDARDS; ANALYSIS AND CRITERIA; REVIEW CONSIDERATIONS; FACTUAL DETERMINATIONS

- (a) Any building standard adopted or proposed by state agencies shall be submitted to, and approved or adopted by, the California Building Standards Commission prior to codification. Prior to submission to the commission, building standards shall be adopted in compliance with the procedures specified in Article 5 (commencing with Section 11346) of Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code. Building standards adopted by state agencies and submitted to the commission for approval shall be accompanied by an analysis written by the adopting agency or state agency that proposes the building standards which shall, to the satisfaction of the commission, justify the approval thereof in terms of the following criteria:
- (1) The proposed building standards do not conflict with, overlap, or duplicate other building standards.
 - (2) The proposed building standard is within the parameters established by enabling legislation and is not expressly within the exclusive jurisdiction of another agency.
 - (3) The public interest requires the adoption of the building standards.
 - (4) The proposed building standard is not unreasonable, arbitrary, unfair, or capricious, in whole or in part.
 - (5) The cost to the public is reasonable, based on the overall benefit to be derived from the building standards.
 - (6) The proposed building standard is not unnecessarily ambiguous or vague, in whole or in part.
 - (7) The applicable national specifications, published standards, and model codes have been incorporated therein as provided in this part, where appropriate.
 - (A) If a national specification, published standard, or model code does not adequately address the goals of the state agency, a statement defining the inadequacy shall accompany the proposed building standard when submitted to the commission.
 - (B) If there is no national specification, published standard, or model code that is relevant to the proposed building standard, the state agency shall prepare a statement informing the commission and submit that statement with the proposed building standard.
 - (8) The format of the proposed building standards is consistent with that adopted by the commission.
 - (9) The proposed building standard, if it promotes fire and panic safety as determined by the State Fire Marshal, has the written approval of the State Fire Marshal.